

# **EXHIBIT 7**

CONFIDENTIAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

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CHASOM BROWN, et al., )  
on behalf of themselves and )  
all others similarly )  
situated, )  
Plaintiffs, )  
vs. ) Case No.  
GOOGLE LLC, ) 5:20-cv-03664-LHK  
Defendant. )

-----)

CONFIDENTIAL

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Videotaped Zoom Deposition of  
GEORGE LEVITTE  
Tuesday, March 15, 2022

---o0o---

Katy E. Schmidt  
RPR, RMR, CRR, CSR 13096  
Veritext Job No.: 5130921

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IN THE UNITED STATES DISTRICT COURT  
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CHASOM BROWN, et al.,                     )  
on behalf of themselves and             )  
all others similarly                     )  
situated,                                     )  
                    Plaintiffs,                     )  
vs.   ) Case No.  
GOOGLE LLC,                                 ) 5:20-cv-03664-LHK  
                    Defendant.                     )  
\_\_\_\_\_)

BE IT REMEMBERED that, pursuant to Notice, and  
on Tuesday, the 15th day of March, 2022, commencing at  
the hour of 9:08 a.m., thereof, in New York City, New  
York, before me, KATY E. SCHMIDT, a Certified Shorthand  
Reporter in and for the County of Yolo, State of  
California, there virtually personally appeared

GEORGE LEVITTE  
called as a witness herein, who, being by me first duly  
sworn, was thereupon examined and interrogated as  
hereinafter set forth.

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1 APPEARANCES:

2 For The Brown Plaintiffs:

3 (Appeared via Zoom)

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BY: RYAN MCGEE, Esq.

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17 For The Defendants:

18 (Appeared via Zoom)

19 QUINN EMANUEL URQUHART & SULLIVAN LLP

BY: TEUTA FANI, Esq.

20 BY: CRYSTAL NIX-HINES, Esq.

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22 Also present:

23 Sean Grant, Videographer

24 Matthew Gubiotti, In-house counsel

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INDEX OF EXAMINATION

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Examination by Mr. McGee

08

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QUESTIONS INSTRUCTED NOT TO ANSWER

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## INDEX OF EXHIBITS

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Number		Page
Exhibit 1	Declaration of George Levitte Regarding Google Ad Manager Profits in Opposition to Plaintiffs' Motion for Class Certification	06
Exhibit 2	Defendant's Amended Disclosures Pursuant to Fed. R. Civ. P. 26(a)(1)	18

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1 NEW YORK CITY, NEW YORK

2 TUESDAY, MARCH 15, 2022; 9:08 A.M.

3 ---o0o---

4 (Plaintiffs' Exhibit 1 was

5 marked for identification.)

6 THE VIDEOGRAPHER: Good afternoon. We're on 09:08  
7 the record. The time is 12:08 p.m. Eastern standard 09:08  
8 time and the date is March 15th, 2022. 09:08

9 This begins the videotaped deposition of 09:09  
10 George Levitte. This deposition is being taken by 09:09  
11 counsel for plaintiffs in the matter of Chasom Brown, 09:09  
12 et al. versus Google, LLC. This case is filed in the 09:09  
13 United States District Court, Northern District of 09:09  
14 California, San Jose division, Case No. 4 colon 20 dash 09:09  
15 CV dash 03664 dash YGR dash SVK, and is being held 09:09  
16 remotely by Veritext. 09:09

17 My name is Sean Grant from the firm Veritext. 09:09  
18 I'm the videographer. 09:09

19 And the court reporter is Kathryn Schmidt, 09:09  
20 also from Veritext. 09:09

21 Please note that audio and video recording 09:09  
22 will take place unless all parties have agreed to go off 09:09  
23 the record. 09:09

24 At this time will counsel please identify 09:09  
25 themselves and state whom they represent, beginning with 09:09

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1 Q. And you're also familiar with the Google 09:57  
2 AdSense product? 09:57  
3 A. Yes. 09:57  
4 Q. Any other ads products that you're familiar 09:57  
5 with in your current role at Google? 09:57  
6 MS. FANI: Objection. Vague. Compound. 09:57  
7 THE WITNESS: Could you explain what you mean 09:57  
8 by familiar? 09:57  
9 BY MR. MCGEE: 09:57  
10 Q. That you may be called to testify on in this 09:57  
11 case. 09:57  
12 MS. FANI: Objection. Calls for a legal 09:57  
13 conclusion. 09:57  
14 THE WITNESS: I do not know which products 09:57  
15 you're going to call me to testify on. 09:57  
16 MR. MCGEE: Neither do I. 09:57  
17 Let me go back. 09:57  
18 BY MR. MCGEE: 09:57  
19 Q. If you could bring up the Exhibit 1. 09:57  
20 A. So in my Google Drive folder titled 09:58  
21 "Levitte Exhibits," I see an Exhibit 0001, 09:58  
22 Calhoun/Levitte Declaration. 09:58  
23 Q. Right. So if you go to the second page of 09:58  
24 that declaration and look at the first paragraph, it has 09:58  
25 the No. 1 next to it. 09:58

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1           It says "My name is George Levitte. I am           09:58  
2           currently a group product manager for Google Ad Manager.   09:58  
3           I make this declaration on the basis of my personal       09:58  
4           knowledge and if called as a witness, would competently   09:58  
5           testify thereto."   09:58

6           Do you recall swearing to that in your           09:58  
7           declaration that's before you here as Exhibit 1?       09:58

8           A. Yes. I remember this being in my declaration.   09:58

9           Q. Okay. So based on your declaration, that       09:58  
10          what's contained in your declaration is on the basis of   09:59  
11          your personal knowledge, and if you were called as a   09:59  
12          witness, you would competently testify thereto, you   09:59  
13          talked about Ad Manager and AdSense.                   09:59

14          So I'm wondering if there are any other           09:59  
15          products in the ads space for which you would feel       09:59  
16          comfortable competently testifying to in the Brown       09:59  
17          versus Google matter?                                   09:59

18          MS. FANI: Objection. Vague. Compound.           09:59

19          THE WITNESS: I believe that I said that I       09:59  
20          consider myself a subject matter expert for Ad Manager.   09:59  
21          I don't think I said that for AdSense. I have some   09:59  
22          understanding of AdSense, but I would not say that of   09:59  
23          AdSense.   09:59

24          BY MR. MCGEE:   09:59

25          Q. And what about AdMob?                               09:59

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1           A.     The same answer. I have some familiarity with 10:00  
2     AdMob but I would not call myself a subject matter 10:00  
3     expert for everything related to monetization within 10:00  
4     AdMob. 10:00

5           Q.     Are you familiar with Google's practices in 10:00  
6     connection with Google Ad Manager? 10:00

7                   MS. FANI: Objection. Vague. 10:00

8                   THE WITNESS: Which practices? 10:00

9     BY MR. MCGEE: 10:00

10           Q.     How Google Ad Manager works. 10:00

11           A.     I am familiar with how Google Ad Manager 10:00  
12     works. 10:00

13           Q.     And does that familiarity go back to June 1 10:00  
14     of 2016 or is it longer? Shorter? 10:00

15                   MS. FANI: Objection. Vague. 10:00

16                   THE WITNESS: In June of 2016, I believe I was 10:01  
17     still working on the AdX buy side, so my familiarity at 10:01  
18     that time would have been much less than it is today. 10:01

19     BY MR. MCGEE:

20           Q.     Right. 10:01

21                   And I think in your declaration, it may have 10:01  
22     been paragraph 2, you began working on advertising 10:01  
23     platforms in 2017. 10:01

24                   Is that correct? 10:01

25                   MS. FANI: Objection. Mischaracterizes the 10:01

## CONFIDENTIAL

1 testimony -- or the document. 10:01

2 THE WITNESS: I think that the document says 10:01

3 that in 2017, I expanded to work on several other areas. 10:01

4 BY MR. MCGEE: 10:01

5 Q. And those would have included Ad Manager, 10:01

6 AdMob, and AdSense; correct? 10:01

7 A. No. 10:01

8 Q. If you can help me understand paragraph 2 of 10:02

9 your declaration. 10:02

10 A. Sure. 10:02

11 MS. FANI: And if you could please allow the 10:02

12 witness a chance to review the exhibit before asking him 10:02

13 about it. 10:02

14 MR. MCGEE: The declaration that he wrote and 10:02

15 signed? 10:02

16 MS. FANI: Yes. You're presenting it as an 10:02

17 exhibit. He should have a chance to read it and 10:02

18 contextualize the questions. 10:02

19 BY MR. MCGEE: 10:02

20 Q. Sure. 10:02

21 Mr. Levitte, if you -- the declaration that 10:02

22 you wrote and executed in December, help me understand 10:02

23 what you meant by paragraph 2. If you need to read the 10:02

24 rest of it, please do. 10:02

25 A. I think you're asking about the first -- or 10:02

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1 the second sentence, in 2017 I expanded to work on 10:02  
2 several other areas. And that coincides with what we 10:02  
3 discussed earlier, some of the things I did as a 10:03  
4 Product Manager III, including some of the work on 10:03  
5 open bidding and Ads dot txt. 10:03

6 Q. And what is Ads dot txt? 10:03

7 A. Ads dot txt is an industry standard that I 10:03  
8 invented in 2017, I believe, that allows publishers to 10:03  
9 declare publicly who is authorized to sell their ad 10:03  
10 inventory so that a buyer of ad inventory can validate 10:03  
11 whether the party attempting to sell the ad inventory is 10:04  
12 a legitimate seller of that publisher's media. 10:04

13 Q. Okay. Are you familiar with the data that 10:04  
14 Google receives when a user visits a website that uses 10:04  
15 Google Ad Manager? 10:04

16 MS. FANI: Objection. Vague. 10:04

17 MR. MCGEE: I'm sorry. What's -- I'd like to 10:04  
18 clarify the question then. 10:04

19 What's vague about that? 10:04

20 MS. FANI: Just the term "familiar." 10:04

21 MR. MCGEE: Okay. I'll let the term 10:04  
22 "familiar" stand. 10:04

23 BY MR. MCGEE: 10:04

24 Q. So, Mr. Levitte, are you familiar with the 10:04  
25 data that Google receives when a user visits a website 10:04

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1 THE WITNESS: What types of differences are 11:06  
2 you interested in? 11:06  
3 BY MR. MCGEE: 11:06  
4 Q. All of the differences. I believe in your 11:06  
5 declaration that was marked as Exhibit 1, you described 11:07  
6 the difference between programmatic and non-programmatic 11:07  
7 advertising as a difference between Google Ad Manager 11:07  
8 and Google AdSense. 11:07  
9 Are there any other differences between 11:07  
10 Google Ad Manager and Google AdSense? 11:07  
11 MS. FANI: Objection. Mischaracterizes the 11:07  
12 document. 11:07  
13 THE WITNESS: They're different products and 11:07  
14 there are many differences between them. For instance, 11:07  
15 they are intended to serve different types of 11:07  
16 publishers. 11:07  
17 BY MR. MCGEE: 11:07  
18 Q. Any other differences that you can highlight? 11:07  
19 MS. FANI: Objection. Vague. Compound. 11:07  
20 THE WITNESS: They have differences in 11:08  
21 functionality which relate to the fact that they serve 11:08  
22 different types of publishers. 11:08  
23 BY MR. MCGEE: 11:08  
24 Q. What are the differences in functionality 11:08  
25 between Google Ad Manager and Google AdSense? 11:08

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1 BY MR. MCGEE: 11:52

2 Q. Does Google's programmatic advertising rely on 11:52

3 user data to function? 11:52

4 MS. FANI: Objection. Vague. 11:52

5 THE WITNESS: What do you mean by user data? 11:52

6 And what do you mean by to function? 11:52

7 BY MR. MCGEE: 11:52

8 Q. So in paragraph 14 of your declaration, which 11:52

9 is the Exhibit 1 -- if you can scroll to that for me. 11:52

10 A. Yes. 11:52

11 Q. It says that "Advertising companies often 11:53

12 rely on user data, including data that they have 11:53

13 collected themselves" -- or "they themselves have 11:53

14 collected or purchased through a third party to 11:53

15 determine how much to bid." 11:53

16 Is that -- okay. So without that user data, 11:53

17 would programmatic advertising work? 11:53

18 MS. FANI: Objection. Vague. 11:53

19 THE WITNESS: Programmatic advertising can 11:53

20 work even without all sorts of data. 11:53

21 BY MR. MCGEE: 11:53

22 Q. How so? 11:53

23 A. Well, what's crucial for programmatic 11:53

24 advertising is some very basic information about the 11:54

25 ad inventory for sale. 11:54

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## REPORTER'S CERTIFICATE

---o0o---

STATE OF CALIFORNIA     )  
                                  ) ss.  
COUNTY OF YOLO         )

I, KATY E. SCHMIDT, a Certified Shorthand  
Reporter in and for the State of California, duly  
commissioned and a disinterested person, certify:

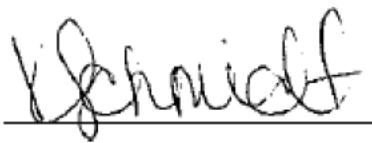
That the foregoing deposition was taken before me  
at the time and place herein set forth;

That GEORGE LEVITTE, the deponent herein, was put  
on oath by me;

That the testimony of the witness and all  
objections made at the time of the examination were  
recorded stenographically by me to the best of my  
ability and thereafter transcribed into typewriting;

That the foregoing deposition is a record of the  
testimony of the examination.

IN WITNESS WHEREOF, I subscribe my name on this  
15th day of March, 2022.



Katy E. Schmidt, RPR, RMR, CRR, CSR 13096  
Certified Shorthand Reporter in and for the  
County of Sacramento, State of California

Ref. No. 5130921 KES

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<Contact Name of Person Handling Read & Sign>

<Email of Person Handling Read & Sign>

March 15, 2022

RE: BROWN vs. GOOGLE, LLC

MARCH 15, 2022, GEORGE LEVITTE, JOB NO. 5130921

The above-referenced transcript has been  
completed by Veritext Legal Solutions and  
review of the transcript is being handled as follows:

\_\_\_ Per CA State Code (CCP 2025.520 (a)-(e)) - Contact Veritext  
to schedule a time to review the original transcript at  
a Veritext office.

\_\_\_ Per CA State Code (CCP 2025.520 (a)-(e)) - Locked .PDF  
Transcript - The witness should review the transcript and  
make any necessary corrections on the errata pages included  
below, notating the page and line number of the corrections.  
The witness should then sign and date the errata and penalty  
of perjury pages and return the completed pages to all  
appearing counsel within the period of time determined at  
the deposition or provided by the Code of Civil Procedure.

\_\_\_ Waiving the CA Code of Civil Procedure per Stipulation of  
Counsel - Original transcript to be released for signature  
as determined at the deposition.

\_\_\_ Signature Waived - Reading & Signature was waived at the  
time of the deposition.

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1     \_\_\_ Federal R&S Requested (FRCP 30(e)(1)(B)) - Locked .PDF  
2     Transcript - The witness should review the transcript and  
3     make any necessary corrections on the errata pages included  
4     below, notating the page and line number of the corrections.  
5     The witness should then sign and date the errata and penalty  
6     of perjury pages and return the completed pages to all  
7     appearing counsel within the period of time determined at  
8     the deposition or provided by the Federal Rules.  
9     xx Federal R&S Not Requested - Reading & Signature was not  
10    requested before the completion of the deposition.

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**Deposition Errata Sheet**  
**Case: *Brown, et al. v. Google LLC***  
**Deponent: George Levitte**  
**Date of Deposition: March 15, 2022**

I, George Levitte, hereby certify that I have read the transcript of my testimony taken under oath in my deposition on the 15th day of March, 2022; that the transcript is a true, complete record of my testimony and that the answers on the record as given by me are true and correct, with the following exceptions:

<b><u>Pg. and Ln.</u></b>	<b><u>Now Reads</u></b>	<b><u>Should Read</u></b>	<b><u>Reason</u></b>
Pg 42, Ln 11	Text	Tag	Refers to Google Publisher Tag
Pg: 63 Ln: 9	permissioning (sic)	permissioning	Transcription Error
Pg 77, Ln 12	Ad Exchange bidding	Exchange Bidding	Transcription Error
Pg: 84 Ln: 10	theirs	bidders	Transcription Error

4/19/2022

\_\_\_\_\_  
George Levitte

\_\_\_\_\_  
Date